

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

WASHINGTON COUNTY FAMILY ENTERTAINMENT, LLC,)	
)	
Plaintiff,)	Civil Action No. 2:17-807
)	
vs.)	United States District Judge
)	Cathy Bissoon
RNN ENTERTAINMENT INC, ROMEL MARCUS, DERRICK ROBINSON, JOHN AND JANE DOES 1-10, MING AND SONS, LLC, GOODLIFE ENTERTAINMENT L.L.C., JOHN WARDLOW JR., THE RTD GROUP, LLC, OLUREMI DARAMOLA, and SHANE A. HALLS,)	United States Chief Magistrate Judge
)	Cynthia Reed Eddy
Defendants.)	
)	
)	

MEMORANDUM ORDER

This case has been referred to United States Chief Magistrate Judge Cynthia Reed Eddy for pretrial proceedings in accordance with the Magistrates Act, 28 U.S.C. §§ 636(b)(1)(A) and (B), and Local Rule of Civil Procedure 72.

On February 16, 2022, Judge Eddy issued a Report (“R&R,” Doc. 241) recommending the Motion for Partial Summary Judgment filed by Plaintiff Washington County Family Entertainment, LLC against *pro se* Defendants Romel Marcus (“Marcus”) and Shane A. Halls (“Halls”) (Doc. 225), be granted. Plaintiff’s Motion sought summary judgment on Count III (fraudulent misrepresentation against Marcus), Count IV (conversion against Halls and Marcus) and Count V (unjust enrichment against Halls and Marcus) of the Second Amended Complaint. Judge Eddy found that summary judgment in favor of Plaintiff on these counts was warranted because, inter alia, the record evidence established that Plaintiff sent money to various bank

accounts, including an account set up by Halls, in reliance upon certain false representations made by Marcus, and that Marcus and Halls retained \$259,500 paid by Plaintiff for concerts that never occurred. (R&R at 6-9).

Objections to the R&R were due no later than March 7, 2022 (Doc. 241), but no objections were filed. After a *de novo* review of the Second Amended Complaint, the Motion for Partial Summary Judgment, the responses thereto¹ and all related briefing and exhibits, together with the R&R, it is hereby ORDERED that Judge Eddy's R&R is ADOPTED as the opinion of the district court.

The Motion for Partial Summary Judgment filed by Plaintiff (Doc. 225), is GRANTED. Judgment in the amount of \$259,500.00 shall be entered in favor of Plaintiff and against Defendant Romel Marcus on Counts III, IV and V of the Second Amended Complaint and against Defendant Shane A. Halls on Counts IV and Count V of the Second Amended Complaint. This Order shall not preclude trial on compensatory and punitive damages.

IT IS SO ORDERED.

June 2, 2022

s\Cathy Bissoon
Cathy Bissoon
United States District Judge

¹ In the R&R, Judge Eddy indicates that Halls filed a one-sentence *pro se* response to Plaintiff's motion (Doc. 223), but that Marcus did not respond. (Doc. 241 at 4 & n.7). After reviewing the docket, however, it appears that Marcus mailed a short, one-paragraph *pro se* response on January 18, 2002, that was docketed on February 2, 2022 (Doc. 239). To the extent Judge Eddy did not review Marcus's response in preparing the R&R, this Court has reviewed it, and nothing therein warrants a different conclusion. As Judge Eddy notes in the R&R, a well-supported motion for summary judgment will not be defeated where the non-moving party merely reasserts factual allegations contained in the pleadings. *Betts v. New Castle Youth Dev. Ctr.*, 621 F.3d 249, 252 (3d Cir. 2010) (citing *Williams v. Borough of West Chester*, 891 F.2d 458, 460 (3d Cir. 1989)). The non-moving party must resort to affidavits, depositions, admissions and/or interrogatories to demonstrate the existence of a genuine issue. *Guidotti v. Legal Helpers Debt Resolution, L.L.C.*, 716 F.3d 764, 773 (3d Cir. 2013) (citing *Celotex Corp. v. Catrett*, 477 U.S. 317, 324 (1986)). Neither Marcus nor Halls have pointed to any record evidence sufficient to defeat Plaintiff's well-supported claims.

cc (via ECF email notification):
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